

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case Number: 09-20208  
Honorable Thomas L. Ludington

RICARDO DELGADO, II,

Defendant.

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**ORDER ADOPTING REPORT AND RECOMMENDATION, ACCEPTING  
DEFENDANT'S PLEA OF GUILTY, AND TAKING THE RULE 11 PLEA  
AGREEMENT UNDER ADVISEMENT**

On December 19, 2013, United States Magistrate Judge Charles E. Binder conducted a plea hearing pursuant to Defendant's consent. The Magistrate Judge issued his report the same day, recommending that this Court accept Defendant's plea of guilty. *See* ECF No. 19.

Although the Magistrate Judge's report explicitly stated that the parties to this action may object to and seek review of the recommendation within fourteen days of service of the report, neither Plaintiff nor Defendant filed any objections. The election not to file objections to the Magistrate Judge's report releases the Court from its duty to independently review the record. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). The failure to file objections to the report and recommendation waives any further right to appeal.

Accordingly, it is **ORDERED** that the magistrate judge's report and recommendation, ECF No. 19, is **ADOPTED**.

It is further **ORDERED** that Defendant's plea of guilty is **ACCEPTED**, and the Rule 11 Plea Agreement, ECF No. 18, is taken **UNDER ADVISEMENT**.

Dated: January 10, 2014

s/Thomas L. Ludington  
THOMAS L. LUDINGTON  
United States District Judge

**PROOF OF SERVICE**

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on January 10, 2014.

s/Tracy A. Jacobs  
TRACY A. JACOBS